REMARKS/ARGUMENTS

In response to the Office Action mailed July 16, 2008, Applicant requests reconsideration. No claims are added, cancelled, or amended so that claims 1-5, 7, 9, 11-15, 17, and 19-21 remain pending. It is noted that the claims pending are correctly listed only on the PTO-326 form at one location, namely item 6. There are no claims that are withdrawn from consideration, only claims that are pending and former claims that are cancelled. The statement that claims 1-26 are pending at item 4 of PTOL-326 from is incorrect. Likewise, the assertion that claims 1-21 are rejected at page 3 of the Office Action is incorrect and does not take into account claims 6, 8, 10, 16, and 18, which have been cancelled.

For the convenience of the Examiner, the pending claims, free of any indications of amendment, are reproduced here.

Interview

Applicant again expresses appreciation for a personal interview granted to his representative on July 8, 2008. As a result of that interview, Applicant's representative was able to understand the pertinence of a previously cited patent to Suzuki. The pertinence of that reference was obscured by the absence of a detailed explanation in previous Office Actions as to the parts of Suzuki relied upon and how those parts related to the invention as formerly claimed.

While a request was made at the interview for detailed explanation of any new rejection, the Office Action mailed July 16, 2008 lacks detail, as explained below, accounting for the excessive length of this Response. If any current rejection is maintained or any new rejection is made, Applicant earnestly requests a detailed explanation of where each of the elements of each rejected claim can be found in any prior art publications that are applied in rejecting claims.

The Invention

Claim 1 is the sole pending independent claim. This claim is directed to a gaming machine that includes a liquid crystal display unit supported by a door of a cabinet that can be opened. Further, the liquid crystal display unit is viewed through a transparent member, likewise supported by the door. In order to hold the liquid crystal display unit in the door, the door includes a frame, which is partially located at a back side of the liquid crystal display unit, and a cover, which is located at the front side of the liquid crystal display unit. The cover obscures a peripheral portion of the liquid crystal display unit and surrounds a central opening so that the front side of the liquid crystal display unit is exposed and visible through the transparent member. An important feature of the invention concerns the mounting of the liquid crystal display unit with respect to the frame. The claimed structure includes a rubber buffer that is located between, i.e., interposed between, the liquid crystal display unit and the frame, and that is in contact with both the liquid crystal display unit and the frame.

The patent application describes numerous embodiments within the scope of claim 1. With respect to the specific structure of the liquid crystal display unit, the frame, and the rubber buffer, attention is directed to Figures 5-16 of the patent application. Of course, while these embodiments support the claims, the scope of the claims is not limited to the depicted embodiments. It is almost too apparent to require stating, but the rubber buffer arrangement with respect to the liquid crystal display unit and the frame provides strong, yet vibration resistant, mounting of the liquid crystal display unit, while maintaining a desired spacing between the liquid crystal display unit, the transparent member, and the frame.

The Prior Art Rejection

All pending claims, mischaracterized as claims 1-21, were rejected as unpatentable over Cole (U.S. Patent 6,475,087) in view of Kutaragi et al. (Published U.S. Patent Application 2002/0068634, hereinafter Kutaragi). This rejection is respectfully traversed with respect to every pending claim.

Applicant agrees that Cole describes a gaming machine including a cabinet having an openable door on which a liquid crystal display is supported. Further, Cole describes a transparent member supported by the door and through which the liquid crystal display unit is visible. Applicant agrees that there is a cover in front of the liquid crystal display unit of Cole and that the cover has a central opening through which the liquid crystal display unit is visible.

The remaining characterizations of Cole at page 3 of the Office Action are simply inconsistent with Cole and incorrect. According to the Office Action, Cole describes "a frame partially located at a back side of the liquid crystal display unit" citing column 8, lines 16-27 of Cole. Apparently, as in previous Office Actions, the Examiner is referring to the support 74 shown in Figure 3 of Cole. However, according to that same page 3 of the Office Action, it is stated that Cole describes "a buffer provided between the liquid crystal display unit and the door," based on element 74 and the identical, previously cited passage of Cole. There are two significant errors in this characterization. First, the language appearing in the Office Action is not the claim language. Second, the Examiner has twice counted the element 74 of Cole as corresponding to two distinct elements of the claimed invention, namely the frame and the rubber buffer. This kind of double counting is not permitted and is a fundamental error in the examination process. See MPEP 706.02(i) and 2142.

The language of claim 1 specifies that the frame is partially located at a back side of the liquid crystal display unit. Applicant agrees that the support 74 of Figure 3 of Cole and the cited passage of Cole might be considered to correspond, to a limited degree, to the frame of the claim. Claim 1 also states that a rubber buffer is located between the liquid crystal display unit and the frame and that the rubber buffer is in contact with both the liquid crystal display unit and the frame. In examining a claim, attention must given to all of the words of the claim. The description in the claim that the rubber buffer is "in contact with the liquid crystal unit and the frame" has been ignored. If the frame in Cole is element 74, then the rubber buffer cannot be element 74 because the rubber buffer cannot be both the frame and in contact with the frame as

well as between the liquid crystal display unit and the frame. On this ground alone, the rejection of all claims must be withdrawn.

The second fundamental error in the examination of claim 1 and its comparison to Cole, as already stated, is the improper use of the single element in Cole to meet two clearly distinct elements in the claimed invention. Because of the claim language quoted in the preceding paragraph, it is impossible to consider the support 74 of Cole to fulfill both the frame and rubber buffer limitations of claim 1.

In conceding that "Cole does not explicitly teach a rubber buffer" reliance was placed upon Kutaragi. Of course, the issue is not that Cole does "explicitly" teach a rubber buffer, Cole does not teach a buffer of any material. At best, Cole describes a frame but not a buffer, of any material, that is disposed between the liquid crystal display unit and the frame.

According to the Office Action, Kutaragi describes in paragraph [0094] "stoppers" that prevent wear and tear on a liquid crystal display. However, what Kutaragi describes is the placement of "stoppers," which are no more than rubber bumpers, on a surface that includes a liquid crystal display 911a. The unit including the liquid crystal display is hinged so that the display may be brought close to a surface 13 of a base unit. The bumpers 916 are shown only in Figures 12 and 14 of Kutaragi, with reference numbers, and are mentioned only in paragraphs [0091] and [0094] of Kutaragi and in two dependent claims of Kutaragi.

> "The stoppers 916 are intended to make a space between the display surface 911a and lid portion 13 so [the display surface 911a and the lid portion 13 do] not...[come] in contact with each other when the monitor portion 91 overlaps the lip portion 13 of the apparatus body 1." (Kutaragi at paragraph [0094]).

No figure of Kutaragi shows the bumpers 916 interposed between the monitor portion 91 when it is folded to be adjacent the lid portion 13. However, it is apparent from the most fundamental understanding of Figures 12 and 14 of Kutaragi that these bumpers simply prevent direct contact between those two elements. It is apparent by

considering the very limited disclosure of Kutaragi regarding the stoppers that no rubber stopper or bumper 916 is in contact with any liquid crystal display unit. No stopper is interposed between a frame located at the back side of the liquid crystal display unit and the frame. No supporting frame of the liquid crystal display unit 911 of Kutaragi is shown or described by Kutaragi. By contrast with the structure defined by claim 1, the stoppers 916 are clearly spaced from the liquid crystal display unit 911 of Kutaragi and are clearly at the front side of the liquid crystal display unit 911 of Kutaragi, nor the rear side as in the invention.

Response to Prior Art Rejection

Claims 1 and 2. Claims 1 and 2 are clearly supported by the disclosure of the patent application and the embodiment of Figure 5. That embodiment includes a frame 31 that extends to the back side of a liquid crystal unit display unit 51. A rubber buffer 54 is in contact with both the frame 31 and the liquid crystal display unit 51, and is interposed between the frame and the liquid crystal display unit.

Claims 1 and 2 cannot be obvious in view of any hypothetical modification of Cole with Kutaragi. As already described, neither Cole nor Kutaragi discloses a rubber buffer that is located between a liquid crystal display unit and a frame that is located at the back side of the liquid crystal display unit, with the rubber buffer in contact with both of the liquid crystal display unit and the frame. Thus, *prima facie* obviousness of claims 1 and 2 cannot be established for the most fundamental of reasons, namely all of the elements of the claimed invention have not been shown to be present in the prior art.

Claim 3. Claim 3 is a dependent claim that merely describes, in the structure of claim 1, the presence of multiple rubber buffers, all of which are identical. Numerous examples are described with regard to several embodiments of the invention in the patent application. The first such description pertains to Figures 3, 4A, and 4B of the patent application.

According to page 4 of the Office Action, Cole describes a plurality of buffers as shown in Figure 5 of Cole. In fact, what the Examiner considers, erroneously, to be a buffer in Cole is the support 74 according to page 3 of the Office Action. Figure 5 of Col shows a single such support 74 supporting a liquid crystal display unit 190. The assertion to the contrary in the Office Action, like many of the other assertions, simply finds no support in the prior art. It is not understood how, in rejecting claim 3, a fictional ground for the rejection can be constructed consistent with the examination policy of the U.S. Patent and Trademark Office.

In addition, claim 3 cannot be obvious over Cole in view of Kutaragi because there is not even a single rubber buffer in either reference that is located between a liquid crystal display unit and a frame at the back side of the liquid crystal display unit and that is also in contact with both the liquid crystal display unit and the frame.

Claim 4. Claim 4 is a dependent claim depending from claim 1 and describing the rubber buffer as maintaining a separation between the liquid crystal display unit and the transparent member. An example of such an arrangement is illustrated in the embodiment of Figure 5 of the patent application in which the transparent member 53 is maintained spaced from the liquid crystal unit 51 by a portion of the buffer 54 that extends between those two elements 51 and 53.

Claim 4 cannot be obvious over Cole in view of Kutaragi for the same reasons claim 1 cannot be obvious in view of that combination. Moreover, the window 66 of Figure 3 of Cole, which was compared to the transparent member of the claims, is not maintained separated from the liquid crystal display unit 68 of Cole by any rubber buffer. On that second ground, *prima facie* obviousness of claim 4 cannot be demonstrated based upon the two publications applied.

Claim 5. Claim 5 depends from claim 1 and specifies that the rubber buffer includes a first groove in which the liquid crystal display unit is located and a second groove, spaced from the first groove, in which part of the transparent member is located. Again, an embodiment of such a structure is illustrated in Figure 5 of the

patent application where the two grooves in the buffer 54 respectively receive the liquid crystal display unit 51 and the transparent member 53.

The only candidates for rubber buffers in the two cited publications are the stoppers 916 of Kutaragi. Whether those stoppers include any grooves cannot be determined because there is insufficient disclosure in Kutaragi. Certainly, however, it is apparent that those stoppers do not include grooves receiving a frame and a liquid crystal display unit like the first and second grooves of claim 5. There is not even any intention that those stoppers of Kutaragi would receive either of the liquid crystal display unit or the transparent member. It is impossible for any combination of Cole and Kutaragi to establish *prima facie* obviousness of claim 5.

In a paragraph at page 5 of the Office Action it is stated that the "buffer" of Cole, apparently meaning support 74, includes first and second grooves, the first groove containing the liquid crystal display unit and the second groove supporting the transparent member. This description of Cole bears no relationship to the disclosure of Cole but is just a reproduction of part of claim 5. Reproducing claim language does not produce a prior art structure. The rejection at page 5 of the Office Action is factually incorrect.

Claim 7. Claim 7 depends from claim 4 and describes the frame as including a recess in which the liquid crystal display unit, as held by the rubber buffer, is located. This arrangement is shown, for example, in the embodiment of Figure 5 of the patent application, the recess being the part of the frame in which the buffer 54 is seated.

Perhaps it would not be unreasonable to interpret Figure 3 of Cole as including a recess within the support 74 that receives the liquid crystal display unit 68. However, as already described, there is no rubber buffer in Cole and Kutaragi does not suggest the presence of a rubber buffer interposed between the frame 74 and the liquid crystal display unit 68 of Cole. The rejection of claim 7 is erroneous because *prima facie* obviousness has not been established so that the rejection should be withdrawn.

Claim 9. Claim 9 describes a somewhat different embodiment of the invention in that the end face of the liquid crystal display unit includes a hollow that extends in

direction perpendicular to the end face and the rubber buffer has a projection with a shape complementary to the hollow and that is received in the hollow. Figure 6 of the patent application shows an embodiment that falls within the scope of claim 6. That embodiment includes rubber buffers 54b that include projections 54C that are received in recesses or hollows 51A located at least at the end surfaces of the liquid crystal display unit 51b.

At page 6 of the Office Action, referring to Cole, it is stated that "the buffer (Fig 5, element 74) has a projection of which shape complementary corresponds to a shape of the hollow (Col 8 Ln 4-55)." With respect, this statement is unintelligible. Moreover, that language is not consistent with the language of claim 9. Perhaps the language of claim 9, which is easily understood, particularly in combination with the embodiment of Figure 6 of the patent application, needs further study.

There are no elements with respect to Cole's support 74 that have complementary interacting projections and recesses or hollows as in the arrangement described in claim 9. Because the elements of claim 9, considered by itself, have not been shown to be present in the prior art, the rejection of claim 9, independent of the rejection of any other claim, is clearly erroneous and should be withdrawn.

Claim 11. The limitation of claim 11 is identical to the limitation of claim 7, except that claim 11 depends from claim 1 and claim 7 depends from claim 4. *Prima facie* obviousness has not been demonstrated with respect to claim 11 for the same reasons *prima facie* obviousness has not been demonstrated with respect to claim 7. Therefore, the arguments previously presented against the rejection of claim 7 are incorporated by reference against the rejection of claim 11, without being repeated at length.

Claim 12. Claim 12 adds to claim 1 a second rubber buffer. That second rubber covers a corner of the transparent member. Examples of such buffers are illustrated in Figures 3, 4A, and 4B of the patent application with respect to a transparent member 53 including corners and rubber buffers 54, 55, and 56.

The transparent member of Cole may clearly include corners according to various illustrations and inferences of Cole. However, there is no description in Cole of a rubber buffer that covers at least one corner of the transparent member. It is apparent that corners of the transparent member 66, as shown in Figure 2 of Cole, are not covered with anything. See also Figure 5 of Cole in which the corners of the liquid crystal display unit 190 project beyond support 74 and are not covered and in which the transparent member 66 is not visible. Columns 7 and 8 of Cole, cited in the Office Action, certainly do not describe any kind of rubber buffer or other element that covers any corner of a transparent member. Clearly, the bumps or rubber stoppers 916 of Kutaragi do not cover corners of anything.

Again, the most fundamental requirement to establish *prima facie* obviousness, demonstration that all of the elements of the claimed invention are present in the prior art, has not been established with respect to claim 12. Therefore, that claim is patentable independent of the patentability of its parent claim 1.

Claim 13. Claim 13 and its dependent claims 14 and 15 encompass the embodiment of the invention illustrated in Figure 9 of the patent application. In that embodiment, the liquid crystal display unit includes projections 51C on end faces of the liquid crystal display unit. Those projections project perpendicular to the end face of the liquid crystal display and the rubber buffers 54c fit over and cover the projections.

The sum total of the examination of claim 13 is a statement that "argument analogous to those presented for claim 1 applicable for claim 13." This comment suggests the claim has not been examined because claim 13 includes important features not present in claim 1. There is no description with respect to claim 1 of the projections as in claim 13 nor of rubber buffers that cover the projections. Nothing similar is described, shown, or implied in either of Cole and Kutaragi. Therefore, *prima facie* obviousness of claim 13, independent of, and even considering the examination of claim 1, has not been established.

Claim 14. Claim 14 adds to claim 13 a description of the frame having a recess in which the rubber buffer is received. Referring to the embodiment of Figure 9, the frame 31c, includes recesses 31E in which rubber buffers 54c, covering projections 51C, are received.

Again, it appears there has been no examination of claim 14. The only comment concerning claim 14 is that "arguments analogous to those presented for claim 7 are applicable to claim 14." Applicant agrees that the limitation of claim 14 is the same as the limitation of claims 7 and 11. However, claim 14 depends from claim 13. Moreover, there has been no demonstration that either of claims 4 and 7, independent of their respective parent claims, are obvious. For the same reason, there has been no demonstration that claim 14 is obvious because claim 13 is patentable over Cole in view of Kutaragi and because the elements of claim 14 are likewise not disclosed in either of those two publications. The absence of pertinent disclosure in the prior art applied is explained with respect to the argument against the rejection of claim 7, an argument that is incorporated by reference.

Claim 15. Claim 15 describes the frame as including a hole in which the rubber buffer is located. This claim encompasses the embodiments of Figures 9 and 12 and perhaps other figures of the patent application. The rubber buffer in Figure 12 is element 54d which has a generally cylindrical shape and which is received within any of holes 312 and 313 of the frame, as illustrated in Figure 12.

Applicant agrees with the Examiner to the extent that the support 74 in Cole includes a hole through which a bolt, but not a buffer, passes. There cannot be an sensible argument that the rubber bumps 916 of Kutaragi would suggest plugging the hole of the support 74 in Cole because it is not apparent what result would be achieved. That hole is not aligned with the liquid crystal display unit. A rubber buffer within the hole would not provide any particular function with respect to the liquid crystal display unit. *Prima facie* obviousness of claim 15 has not been established.

Claim 17. Claim 17 depends from claim 13 but has the same limitation as dependent claim 12. The Examiner repeated, in rejecting claim 17, the same

statement made with respect to claim 12. Of course, claims 12 and 17 are not identical claims because they depend from different claims. Nevertheless, for purposes of this Response, Applicant points out that *prima facie* obviousness of claim 12, standing by itself, has not been established for the reasons presented at pages 13 and 14 of the Response. Those same reasons are incorporated in responding to the rejection of claim 17. The rejections of both claims should be withdrawn.

Claim 19. Claim 19 is supported by the disclosure of the patent application at least with respect to Figures 12 and 13. It is noted that claim 19 depends from claim 13 and thus describes a liquid crystal display unit that includes projections. In Figure 12, those projections are elements 51D. The projections include a recess intended for retaining a rubber buffer. The rubber buffer takes the form of the generally cylindrical element 54d shown in Figure 12 and in cross-section in Figure 13.

Neither Cole nor Kutaragi describes a liquid crystal display unit with projections of any kind, much less projections with holding portions that are engaged or that are used with rubber buffers to hold in place the liquid crystal display unit.

The citation in the rejection of claim 19 to Figure 3 of Cole does not produce a rubber buffer having the arrangement described in claim 19. Kutaragi does not supply rubber buffers that are employed in holding a liquid crystal display unit through the use of projections on the liquid crystal display unit. *Prima facie* obviousness of claim 19 has not been established so that the rejection should be withdrawn.

Claim 20. Claim 20 encompasses the embodiment of Figures 12 and 13 of the patent application. In that embodiment, the rubber buffer 54d includes a circumferential groove 54F. The holding portions of the liquid crystal display unit include cutouts 511 that cooperate with the rubber buffers. The size and shape of the holding portions and the rubber buffers is such that the buffer width matches the cutouts width and the groove has a width corresponding to the thickness of the projection. This complementary engagement arrangement of the rubber buffer and cutout of the holding portion is not disclosed in the prior art.

In making the rejection, at page 7 of the Office Action, the Examiner repeated the language of the claim concerning the groove and its shape as well as its width with respect to the width of a cutout, asserting that all of these limitations were described by Cole in column 8, lines 5-44. The assertion finds no support anywhere within Cole. What has happened in the rejection of claim 20, as the rejections of other claims, is that the language of the claim has been copied into the Office Action followed by a statement that the prior art discloses the language of the claim when, in fact, there is nothing similar in the prior art. There has been, with respect to claim 20, as with respect to other claims, a total failure to apply the common standard of obviousness which requires proof that the elements of the invention claimed are present in the prior art, along with some reasoning for combining the elements where the elements are shown in different prior art publications. No rubber buffer in Kutaragi includes a groove according to the disclosure of that publication. The dimensions and interrelationships between whatever the stoppers 916 and their support may be is not disclosed by Kutaragi.

As with other examined claims, there has been a complete failure to establish *prima facie* obviousness with respect to claim 20. The rejection should be withdrawn.

Claim 21. Claim 21 describes a somewhat more complex frame that includes an inner frame and an outer frame. An example of such a frame is illustrated in Figure 13 wherein the outer frame corresponds to element 32d and the inner frame corresponds to element 31G.

In rejecting claim 21, reference was made to claim 18, a claim that is no longer pending. Further, it was asserted that Cole describes a frame including an inner frame and an outer frame, but there was no identification, other than reference to the same previously cited passage in column 8 of Cole, to any such frames. If the Examiner believes that the structure of claim 21 is illustrated in Figures 4 and 5 of Cole, then he is invited to respond by supplying copies of those figures marked to show the inner and outer frames. Those inner and outer frames are distinct from the other elements of the claimed invention, including the elements of claims 1 and 13. Because there are

not enough elements in Cole to supply the elements of claims 1, 13, or 21, even adding Kutaragi, *prima facie* obviousness of claim 21 has not been established and, upon reconsideration, the rejection of claim 21 should be withdrawn.

Summary

Since, for the reasons presented here, *prima facie* obviousness has not been established with respect to any claim pending in this patent application, upon reconsideration, the rejection should be withdrawn and all pending claims allowed.

Respectfully submitted,

Jeffrey A. Wyand, Reg. No. 29,458
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

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JAW:ves